



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 6
1201 ELM STREET, SUITE 500
DALLAS, TEXAS 75270

Office of the Regional Administrator

April 5, 2021

Ms. Mary Hampton, President
Mr. Robert Taylor, Executive Director
Concerned Citizens of St. John the Baptist Parish
Reserve, Louisiana 70084
Email: citizensofstjohnparish@gmail.com

Dear Ms. Hampton and Mr. Taylor:

The United States Environmental Protection Agency has received your letter sent via email dated February 28, 2021. In the letter, you stated that the Louisiana Department of Environmental Quality (LDEQ) and the Louisiana Department of Health (LDH) ‘... misused the EPA funds by conducting a project that is completely different—in purpose, scope, and methodology—from the one proposed to the EPA in the agencies’ grant application.’ Your letter also stated: ‘[t]he actual project does not fit within the EPA’s “Improve Air Quality” objective, is not aligned with [Clean Air Act (CAA)] §105 criteria, and has nothing to do with preventing or controlling air pollution.’

The EPA takes allegations of misuse of federal funds seriously. The EPA has completed its review of this matter. The EPA found that the work done is within the scope of work provided by the state and the activities align with the requirements of the CAA §105 criteria. While considerable work was done by Louisiana State University (LSU) New Orleans School of Public Health for the LDH to collect information for the Tumor Registry study, the overall project is not complete and additional work is underway by the LDH in cooperation with the LDEQ. Please review the enclosure for discussion of your concerns with respect to the grant requirements.

The EPA appreciates your interest in the project in your community and your efforts to provide supporting information. Thank you for your continued interest in addressing air quality in the St. John the Baptist Parish area. If you would like to discuss our responses, please contact me at 214-665-2100, or Ms. Gloria Vaughn at 214-665-7535.

Sincerely,

A handwritten signature in black ink, appearing to read "David W. Gray", is positioned above the typed name.

David W. Gray
Acting Regional Administrator

Enclosure

cc: Mark Cooper, Officer of the Governor (Mark.Cooper@la.gov)
Matthew Block, Office of the Governor (Matthew.Block@la.gov)

cc cont.:

Dr. Chuck Carr Brown, Louisiana Department of Environmental Quality
(Chuck.Brown@la.gov)

Courtney Burdette, Louisiana Department of Environmental Quality
(Courtney.Burdette@la.gov)

Joseph Kanter, Louisiana Department of Health (Joseph.Kanter@la.gov)

Stephen Russo, Louisiana Department of Health (Stephen.Russo@la.gov)

Enclosure

Concern 1: The Louisiana Department of Environmental Quality (LDEQ) and the Louisiana Department of Health (LDH) ‘... *misused EPA funds by conducting a project that is completely different—in purpose, scope, and methodology—from the one proposed to EPA in the agencies’ grant application.*’

The multipurpose grants issued to the LDEQ and the LDH contain two interrelated tasks to be completed:

- (1) to determine if there are higher instances of cancer in the community due to toxic chemical emissions by the [Denka Performance Elastomer, LLC (Denka)] Plant
- (2) to determine if there has been under-reporting of these cases of cancer in the Louisiana Tumor Registry

The EPA discussed the progress of the work with the LDEQ and the LDH staff on March 5, 2021. During that conversation, EPA learned that the project is not completed. There are two tasks that are to be accomplished: a study to ensure that the types and numbers of cancers in the Louisiana Tumor Registry database are complete for the area to serve as a baseline, and an evaluation and analysis of that database specific to the 1.5-km radius and 2.5-km radius around Denka to determine if there are higher instances of cancer in the community and if the observed cancers are attributable to Denka.

In cooperation with the LDH, the Louisiana State University (LSU) New Orleans School of Public Health conducted the Cancer Reporting in St. John Parish (CRISP) project between January 2020 and January 2021. The main objective of the project was to detect reportable cancer cases in the survey area around the Denka facility for the 2009 to 2018 timeframe that were missing from the Louisiana Tumor Registry data. Residents within a 2.5-kilometer radius around Denka were approached to participate in the survey. In addition to cancer cases, residents were also able to report any health conditions/community concerns about living near the Denka facility.

The CRISP study found no missing, reportable cancers that were not part of Louisiana Tumor Registry data. All of the identified reportable cancer cases found in the study had been counted by the LA Tumor Registry. This study completes the second task listed above.

In discussions with the LDEQ and the LDH on March 5, 2021, EPA also learned that they are beginning the evaluation and analysis task of the grants, and the activities in support of task 1 of the work plan are continuing as the scope of work in the grant work plans is completed.

Concern 2: ‘*The actual project does not fit within EPA’s “Improve Air Quality” objective, is not aligned with [Clean Air Act (CAA)] §105 criteria, and has nothing to do with preventing or controlling air pollution.*’

The EPA, prior to awarding the grant, reviewed the proposed tasks for the work and negotiated with the LDEQ and the LDH to ensure that the CAA §105 criteria were met. Collection, evaluation, and analysis of data associated with risk from air toxics emissions are allowable activities under the CAA. (See 42 U.S.C. §7405(a)(1)(A))

Concern 3: *‘We find it extremely concerning that over \$300,000 of EPA funding was spent mostly on salaries for Tumor Registry staff to conduct a project that was neither responsive to the needs of the community nor consistent with the project that the LDEQ and the LDH proposed to the EPA to secure funds.’*

The EPA cannot confirm the statement *‘that over \$300,000 of EPA funding was spent mostly on salaries for Tumor Registry staff’*, as those costs have not been presented to the EPA. The project is not complete and the funds have not been fully expended. The EPA has not authorized payment for this amount.

The EPA, the LDEQ and the LDH believe that the tasks in the workplan will provide information that these government agencies believe will be useful to the community.

Finally, the EPA found that the project is *‘consistent with the project that the LDEQ and the LDH proposed to the EPA to secure funds’*, with respect to the task that is completed – namely the study conducted by LSU to detect reportable cancer cases in the survey area around the Denka facility for the 2009 to 2018 timeframe that were missing from the Louisiana Tumor Registry data.